

## II. REMARKS

### A. Introduction

In this Office Action claims 1-3 and 5-7 are noted as pending and are rejected.

In this Response, claims 1 and 7 have been amended and remarks are provided.

### B. Prior Art Rejections

Claims 1-3, 5 and 7 are rejected as being made obvious by U.S. Patent No. 6,314,183, issued to Pehrsson et al. (the '183 reference), whereas claim 6 is rejected based on this reference and Japanese Reference No. 2002-344592 (the '592 reference)

For the following reasons, it is respectfully submitted that the present invention, as recited by amended claims 1-3 and 5-7, was not rendered obvious by the prior art.

In the '183 reference, some magnetic source 18 is located in the housing 12 and a separate magnetic sensor 32 is also located in the housing 12, but spaced from the magnet 18 by a distance about equal to a magnetic body 34 in a flip 14 that is pivotally movable against and away from the housing 12.

In the embodiment recited in claims 1-3 and 5-7 herein, both a magnet 414 and a sensor 413 are formed in a case 415 as a sensor unit 400 or one piece module, which one piece module is received in one of the cover or base of the portable terminal device. See, e.g., page 6, lines 20-21, page 9, lines 11-14, page 12, line 18 to page 13, line 7 and Fig. 12-13. By using a one piece module, the number of assembly steps is reduced, the magnet and sensor are set in position in the module, and do not have to be accurately separately positioned in the cover or base of the overall device, and if dropped, the magnet and sensor should stay in place in the module.

Thus, while the claims had previously been amended at the Examiner's suggestion to recite a "single unit" to distinguish over Pehrsson et al., the claims have been further amended to indicate that there is a separate unit that is received in a pivotable separate portion of the overall device. The housing 12 of Pehrsson et al. cannot be the same as the module recited herein, which is received in a housing like 12 of Pehrsson et al. More particularly, the Pehrsson et al. device includes the magnet 18 (speaker) and the sensor 32 as individual members which are located directly in the base of the cell phone. There is no suggestion in this reference to use a separate module.

The Japanese Reference is cited for teaching a sliding arrangement. Regardless of any such teaching, the Japanese reference fails to compensate for the incomplete teaching of Pehrsson et al., as noted above.

III. CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that claims 1-3 and 5-7 are now in condition for allowance.

If there are any additional fees associated with this Response, please charge same to our Deposit Account No. 19-3935.

Finally, if there are any formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

Respectfully submitted,

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Date: 12/19/05

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